

AF/2003/J
6-9-04
Docket No. 03560.002530.
Date: May 26, 2004



NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of: MAKOTO KIKUGAWA

Application No.: 09/473,659

For: APPARATUS FOR RETRIEVING DOCUMENT DATA

Filed: December 29, 1999

Group Art Unit: 2624

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated November 26, 2003 of the Primary Examiner finally rejecting claims 1 to 51.

The items checked below are appropriate.

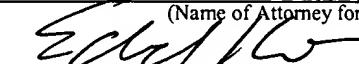
1. A Petition for a two month extension of time to respond to the final rejection, together with the \$420.00 extension fee under 37 C.F.R. §1.17, was filed on April 26, 2004.
2. A Petition for an additional one month extension of time to take further action, together with the \$530.00 extension fee under 37 C.F.R. §1.17, is enclosed.

06/03/2004 MAHMED1 00000086 061205 09473659
02 FC:1401 30.00 DA 300.00 DP

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

May 26, 2004
(Date of Deposit)

Edward A. Kmett, (Reg. No.42,746)
(Name of Attorney for Applicant)


Signature

May 26, 2004
Date of Signature

3. Fee \$330.00
- Fee \$165.00 (Verified Statement claiming small entity status is enclosed, if not filed previously.)
- Enclosed
- Not required (fee paid in prior appeal)
- Charge to Deposit Account No. 06-1205 (One additional copy of this Notice enclosed herewith)
4. Any prior general authorization to charge an issue fee under 37 C.F.R. 1.18 to Deposit Account No. 06-1205 is hereby revoked. The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 or 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205.
5. Applicant's undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



Attorney for Applicant
Registration No. 42,746

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3800
Facsimile: (212) 218-2200
Form #67

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The PTO did not receive the following
listed Items(s) A Check of \$330.00
WE got \$300.00